

**IN THE
SUPREME COURT OF INDIANA**

CASE NUMBER:

ORDER AMENDING INDIANA JURY RULES

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, *Rules 1, 2, 4, 9, 19* of the *Indiana Jury Rules* are amended to read as follow (deletions shown by ~~striking~~ and new text shown by underlining):

INDIANA JURY RULES

RULE 1 SCOPE

These rules shall govern petit jury assembly, selection, and management in all courts of the State of Indiana.

RULE 2 JURY POOL

The judges of the trial courts shall administer the jury assembly process. The judges may appoint clerical personnel to aid in the administration of the jury system. Any person appointed to administer the jury assembly process is a jury administrator. The jury administrator shall compile the jury pool annually by selecting names from all the voter registration lists for the county, supplemented with names from at least one other ~~lists~~ list of persons resident in the county, ~~including~~ such as lists of utility customers, property taxpayers, persons filing income tax returns, motor vehicle registrations, city directories, telephone directories, and driver's licenses. Supplemental lists may not be substituted for the voter registration list. In drawing names from supplemental lists, the jury ~~commissioner~~ administrator shall avoid duplication of names.

...

RULE 4 NOTICE OF SELECTION FOR JURY POOL AND SUMMONS FOR JURY SERVICE

Not later than seven (7) days after the date of the drawing of names from the ~~master list jury pool~~, the jury administrator shall mail to each person whose name is drawn a juror qualification form and notice of the period during which any service may be performed. ~~A judge may order prospective jurors to appear upon less notice when, in the course of jury selection, it become apparent that additional prospective jurors are required to complete jury selection.~~ The judges of the courts of record in the county shall select, by local rule, one of the following procedures for summoning jurors:

(a) Single tier notice and summons. The jury administrator may send a summons at the same time the jury qualification form and notice is mailed. If so, the jury administrator shall send the jury qualification form and summons to prospective jurors at least six (6) weeks before jury service.

(b) Two tier notice and summons. The jury administrator may send summons at a later time. If the jury administrator sends the jury qualification form and notice first, the jury administrator shall summon prospective jurors at least one (1) week before service.

The summons shall include the following information: directions to court, parking, public transportation, compensation, attire, meals, and how to obtain auxiliary aids and services required by the Americans with Disabilities Act. The judge may direct the jury administrator to include a questionnaire to be completed by each prospective juror.

A judge may order prospective jurors to appear upon less notice when, in the course of jury selection, it becomes apparent that additional prospective jurors are required in order to complete jury selection.

...

RULE 9 TERM OF JURY SERVICE

(a) A person who appears for service as a petit ~~or grand~~ juror serves until the conclusion of the first trial in which the juror is sworn, regardless of the length of the trial or the manner in which the trial is disposed. A person who appears for service but is not selected and sworn as a juror completes the person's service ~~at the end of one (1) day when jury selection is completed.~~

(b) A person who:

- (1) serves as a juror ~~under this chapter~~; or
- (2) ~~completes one (1) day of jury selection~~ serves until jury selection is completed, but is not chosen to serve as a juror;

may not be selected for another jury panel until all nonexempt persons in the jury pool for that year have been called for jury duty.

...

RULE 19 OATH OR AFFIRMATION OF THE JURY

After the jury has been selected, but before commencement of the trial, the judge shall administer the following to the jury, including alternate jurors:

“Do each of you swear or affirm that you will well and truly try the matter in issue between the parties, and give a true verdict according to the law and evidence?”

...

The amendments to the Indiana Jury Rules shall take effect January 1, 2003.

The Clerk of this Court is directed to forward a copy of this order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and the West Group.

The West Group is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public

DONE at Indianapolis, Indiana, this _____ day of July, 2002.

Randall T. Shepard
Chief Justice of Indiana

All Justices concur.